

AN
ANSWER
TO

Mr. *PASCHAL*'s LETTER

TO HIS
FRIEND in the Countrey,

Stating the CASE of

Mr. *PARKHURST* and Himself, &c.

Being a Vindication of the Proceedings of
the HOUSE of COMMONS,
against those Gentlemen Commissioners
for PRIZES.

Most humbly Dedicated, and Submitted to the Con-
sideration of the LORDS Spiritual and Temporal,
and COMMONS of ENGLAND Assembled
in PARLIAMENT.

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To the Right Honourable the Lords Spiritual and Temporal Assembled in *P A R L I A M E N T.*

May it please Your Lordships,

Being Aprized of many great Imbezelmments, made of Prize Ships and Goods during the late War, and other Enormities and abuses relating thereunto, together with the unwarrantable Proceedings of the principal Commissioners for Prizes, and how those Laws intended to prevent the same, have been violated, and rendered ineffectual, to the Great prejudice of His Majesties Service, I thought my self in Duty Bound, to Publish the following Tract relating thereunto, which is most Humbly Submitted to your Lordships Consideration,

By Your Lordships

Most Humble

And Obedient Servant,

Trueman.



To The Honourable, The Knights, Citizens and Burgeses, Assembled in PARLIAMENT.

May it please Your Honours,

Having in January 1698. presented the Honourable House of Commons, with a Paper Intituled, A word in Season, being a Prospect of Publick Grievances, with some particulars relating to the Imbezeling of Prizes and prize Goods, together with the proceedings of the Commissioners for Prizes; And having since laid before the Honourable House another Paper Intituled, Englands private Bank laid open, or a Prospect of the Proceedings of the Commissioners for Prizes, Collected out of their own Books; and being credibly informed, that the said Commissioners, in their first Accounts (laid before the Honourable House of Commons,) did conceal several matters relating to their Office, with intent to delay and obstruct the Parliament in their proceedings; and considering what great Sums of Money they allowed their Accomptant General and others for making up the Accounts of that Office, and how dilatory they have been in producing a satisfactory account to Your Honours, and having perused Mr. Paschals Letter stating the Case of Mr. Parkhurst and Himself, and considered the various Reflections of some Persons, who being ignorant in those Affairs, have been misguided by false reports and dark Relations, I
have

have presum'd to Publish the following Narrative of my Pro-
ceedings with those Commissioners, with my Observations in
matters relating therunto, which I hope may be sufficient to
Convince those who have or may be deceived by False and Obscure
Notions : all which with Submission is most Humbly offered to
Consideration,

By Your Honours,

Most Dutiful

And Obedient Servant,

Trueman.



SIR,

S I R,

TH E Letter Mr. *Paschal* sent you coming to my hands, I thought I could not do a more acceptable service, than to give you the following account of some matters relating thereunto, wherein you may observe that my design is only, to inform you of what has fallen under my Observations, without any Reflection more than relates to matter of fact; and therefore I shall only pray you candidly to Consider the same before you proceed to pass Sentence.

In the 13th. of King *Charles* the 2^d. it is enacted, that all Writings found on Board of any prize Ship, shall be sent entirely to the Court of *Admiralty* or Commissioners for prizes, and that no Goods, Ammunition, Tackle, Furniture or Stores, other than Goods upon or above the Gun-deck, shall be taken out of any prize Ship, until the same shall be Condemn'd in the Court of *Admiralty*.

And by their Majesties declaration, dated the 23^d. of *May* 1689 for Encouragement of Officers and Seamen in their Majesties Service, it was ordered, that the Collectors of prize Goods should pay them 6 *l.* — 13 *s.* — 4 *d.* for every piece of Ordinance belonging to any Ship, and 10 *s.* per Ton for every prize taken and Condemned in the *Admiralty* Court, together with the priviledge allowed by the foregoing Act.

And thereupon 7 Commissioners were Constituted and appointed, to take an account, as well of all prizes taken and sold in Forreign parts, as of those that were brought into *England*; and for their Care and Pains in the well managing this Service, they were allowed each 500 *l.* per annum, with a Receiver General, Accomptant Generals, and their Assistants, Sub-Commissioners and Agents in the Ports of *England*, *Ireland* and *Wales*, and many in the *West-Indies* and other Forreign parts, with a Surveyor, Land Waiter, a Proctor, Sollicitors, Store-keepers, Clarks, and all things necessary, for Taking, Stating and Passing their Accounts, &c.

And for the better preventing the Imbezeling prize Ships and Goods, An Act was made in the 4th. and 5th. Year of His Present Majesty, and the Late Queen, Intituled an Act for continuing the Acts for Prohibiting all Trade and Commerce with France, and for the Encouragement of Privateers, whereby it is Enacted that all prizes shall be brought into this

this Kingdom without breaking Bulk, and be preserved from Imbezelmments until the same shall be adjudged Lawful prizes, and if any prize Ship shall be taken in the *Medeterranean*, it shall be Lawful to carry them to *Cadiz*, or *Allicant*, &c. to be delivered into the possession of some Person Authorized by His Majesty to receive and preserve the same from Imbezelmment, until the same shall be by the Court of *Admiralty of England* adjudged Lawful prize, &c. and the Captors are directed with all speed to transmit the Papers taken in such Prizes, or attested Copies thereof, to the said Court, and Prizes taken in the *West-Indies*, may be carried into any of his Majesties Plantations, there to be Delivered to the Chief Governor, to remain and be kept as aforesaid until the same shall be Condemned or Discharged, or otherwise Lawfully Disposed of, by such Persons as shall be Lawfully Commissioned in that behalf; and the like provision is made for Ships taken in the *East-Indies*, &c. And it is further provided that all prize Goods shall be intirely kept and preserved from Imbezelmments, &c. and shall be sold publickly in the presence of the Mariners, &c. and the Subsidy of Tunnage, Poundage, and all other Duties, shall be paid to His Majesty for prize Goods, and if any Captain or Officer, &c. shall Imbezel, purloin, conceal or convey away, or put on shore, or cause or procure, to be Imbezeled, &c. any part, or parcel of such Goods in any place, other than His Majesties Ware-Houses, such Persons shall lose the whole share and Benefit of what he might or ought to have had in the prize whereof the Goods so Imbezeled, &c. were part or parcel thereof: and that if any Captain or Officer shall take to himself or Imbezel any Mony, Plate, Goods, Lading, Tackle, or other things in any Ship taken or Seized on for prize or retaken from the Enemy, he shall forfeit 500*l*. and be incapable of any Office under his Majesty for 7 Years. And it is further provided that the neat proceed of all Prizes, shall be divided in 10 equal parts, one Tenth to the Treasurer of the *Navy* to be disposed of for Meddals and Rewards, to such Seamen that have done any signal or extraordinary Service at Sea. $\frac{3}{10}$ to the King, $\frac{3}{10}$ to the Sick and Wounded Seamen, &c. and 3 Tenths to the Captains and Seamen, and by the Constitution of the *Navy* the last 3 Tenths, is to be divided into 8 Shares, 3 thereof belongs to the Captain, and all Persons concerned are allowed to peruse the Accounts of any Prize, to know whether the shares allowed have been fairly distributed.

Now Sir having given you a short hint of the Laws, and the Kings Declaration Relating to Prizes, give me leave to tell you, that Mr.

Paschall



Paschall was one, that were Constituted and appointed his Majesties Principal Commissioners for Prizes, with power to chuse their Sub-Commissioners, Agents and other Officers before mentioned, which said Officers, with the Captains and other Sea Officers, were to be accountable to them for all Prizes, and if any failures or Imbezelmments were made of any Prize or Prize Goods, these principal Commissioners having notice thereof, were to call them to an account and demand satisfaction, and upon non payment to sue them for the same; this Sir, I hope you will allow was a Duty incumbent on them, if so, then give me leave to tell you: That,

1st. Captain *Edward Bibbs* Commander of His Majesties Ship *James Galley*, the 25th of *March* 1692. Did then take one prize Ship called the *Elizabeth* of *St. John Deleys*, of 6 Guns, burthen 140 Tuns, full Laden with Wines, Netts, Brandy, and other stores for *New found Land*, for which the Master of the said Prize when taken, did offer the Captor 4000 Dollars; and on the 27th of the same Month the said Captain did take one other Prize; called the *Byones* Frigate of 14 Guns and 6 Paterearos, being a new Ship, well fitted and provided with navall stores and provisions, valued at 1500^l. which Ship he sold to a *Dutch* Consul at *St. Antonia in Biscay*: now finding these Ships not accounted for in the Prize Office, and the Officers and Seamen unpaid their shares of Prize Mony, I thought I could not perform a more acceptable Service, than to acquaint the Commissioners for prizes thereof, which accordingly I did about *February* 1697. and then they promised me a Reward, if I could prove the same; but their Honours lending for the Captain, he some days after sent them an account there of; after this I attended them again, and then they told me I was a perty man to trouble them with such Trifles, and one of them holding the Captains account in his hand, bid me take it into another Room and peruse it, which accordingly I did, and took a Copy thereof, wherein the Captain sets forth that he took from the *French*, an old *English* Built Pink, about 50 or 60 Tuns, and that by the Bills of Lading there was on Board her 10 Small Casks of Wine and 6 of Brandy, and that the Men plundered her, and that the Master of the Capture offered but 400 Dollars for her, but he sold her for 5, and that the *Byones* was a Rotten Double Vessel of 14 Guns and 60 Tons, which he Sold for 400 Dollars, and makes himself Debtor and Creditor as followeth,

		Dollars
Debtor, {	By Proceed of the <i>Elizabeth</i> , _____	500
	By Proceed of the <i>Byones</i> , _____	400
	At 4 s. per. Dollar, _____	180
Per	Per 14 Guns in the <i>Bioness</i> , _____	94—7—8
Contray.	Per Tunnage of 60 Tun _____	30—0—0
	Per Tunnage of the <i>Elizabeth</i> , 50 to _____	25—0—0
		149—7—8
And makes the Ballance, _____		30—12—4

Upon returning the said account, I told their Honours that those Ships were worth 10 Times more as I could evidently prove, which on behalf of the Mariners I have since done; but their answer, was they were taken a great way off, and a great while agoe; and that the Capt. was a very honest man, and had sworn to the Account, and that was sufficient: then calling for their Solicitor, they directed me to goe with him to the Kings Proctor in order to Condemn those Ships, which accordingly I did, and by my procurement they were Condemn'd the 10th of *March* 1697. Afterwards attending their Honours for a reward, they told me I had done the King a good piece of Service, and that there was 30 due to him upon the Ballance of Account, and advised me to go to the King for a reward; but in regard the Ballance was so insignificant, I did not think fit to trouble His Majestie therewith, as well knowing the cost would Exceed the Profit.

The said Captain on the 25th of *Merch* aforesaid, took another, called the *St. Vincent*, of 24 Guns, out of which Ship the Capt. Imbezeled 18 great Guns, one Suit of Sails, one Halser, 10 Coyl of new Cordage, and all her small Arms, the whole valued at 160 l. which was never accounted for in the Prize-Office, and about *June* 92, he took another Prize of 18 Guns, called the *Sun*, which with the *St. Vincent* was taken into the Kings Service, and on the 27th of *March*, 1693. The same Captain took another Prize of 18 Guns, called the *Mount Cassel*, belonging to *St. Malloes*, out of which the Captain Imbezeled 2 Anchors, and Cables, with Sails, Cordage, Arms and Ammunition, Wine and Brandy,

Brandy, the whole valued at 112 *l.* was sold to one *Higgins* at *Silly*, and the Ship sent to *Plimouth*.

The Captain being sued in the Court of *Admiralty*, for prize Money due to the Officers and Seamen, on Account of the 5 recited Ships, did in his Allegations declare upon Oath, that he took the aforesaid 5 Ships, and no more; but it being afterwards proved that he took another prize of 80 Tun, Laden with Linnen, Iron, and other Merchants Goods, which he carried to *St. Antonia*, and sold there, and that he had taken another prize of 60 Tun which he carried to *Falmouth*, and sold there, and another of 50 Tun Laden with white Sand, which he sent to *Ramsgate*, and sold there, these Three last valued at 1440 *l.* were never brought to Account in the Prize Office, yet in his second Allegation he doth acknowledge that he took the said 3 Prizes, &c. whereby it is evident that he took no regard to what he swore, and that the Commissioners for prizes in passing his Clandestine Accounts (after they had Notice thereof) did wilfully suffer the King and those concerned to be Defrauded, in the *Elizabeth*, 700 *l.* in the *Bioness*, 1420 *l.* by Imbezelmments in the *St. Vincent* and *Sun* prizes, 272 *l.* and by the 3 last recited prizes 1440 *l.* in all 3836 *l.*

2d. In June 1697, Captain *Stephen Elliot* Commander of His Majesties Ship, *Bristol*, did take one prize of 22 Guns and 300 Tuns, called the *Flying-Heart*, being one of *Ponty's* Squadron at the plundering of *Carthage*, and Laden with Tiffian Silks, Satins, Cambricks, Kenting, Plate, Jewels; Bars of Gold, Pistoles and other Spanish Money, and Goods to the value of 100000 *l.* sterling, great part thereof he sold and disposed of at *Jamaica*, and carried the prize with the rest of her Cargo to *Virginia*, which was 400 Leagues from thence, and there sold the Ship and more of the Cargo, and upon his arrival at *Portsmouth*, there was found on Board the said *Bristol* (by the prize Officers) 12 pieces of Ordinance and 1790 Hides, part of the Cargo and Furniture of the said prize, which was sold by the Commissioners for 386 *l.*—2 *s.*—6 *d.* But the Captain being prosecuted for the remainder, he Exhibited an account upon Oath in the *Admiralty* Court, wherein he swears, that the said account contained the whole of what came to his hands, and what he disposed of them for, to wit, 3982 Dollars, 3 Royals and no more, and that he knew not of any other Gold, Plate, Jewels or other Goods: but a Complaint being made to the *House of Commons* about this matter, they appointed a Committee to Examine the same, and being inform'd there was several parcels of Plate, and other Goods concealed on Board the said *Bristol*, they acquainted the Commissioners

winners for Prizes thereof, and upon a second search, there was found a Silver Crown Gilt, with a Large Jewel fixt therein, with a great deal of Plate and other Goods, which after the Captain had the priviledge of challenging and taking to himself what he pleased, they sold the remainder for 113 *l.*—0 *s.*—7 *d.* But what became of the Jewel I know not, but the Committee Rising without making a report, the Captain applyed himself to the Commissioners, and offered to pay the Mony arising by Sale of the Ship and Goods mentioned in his Account, Deducting his own share of prize Mony, to which they agreed, for 300 *l.* and took his Note for the payment thereof, altho they had been Credibly informed what prodigious Imbezelmments the Captain had made out of that Prize, and when the Captain was Tryed at the *Exchequer Court* on account of the said prize, and that great imbezelmments were fully proved upon him, *Esq. Paschal* appear'd and informed the Court that this Captain had given them the fairest account that ever came to their Office, notwithstanding their Board had before (in their report to the *Lords of the Treasury*) Charged him of his perfidious accounts laid before them, and his Clandestine dealings with the Seamen, with the non-payment of the aforesaid 300 *l.*

3d. In July 1697, Captain *Tho. Warren* Commander of His Majesties Ship *Windsor*, did take a Prize (near the *Streights of Gibraltar*) called the *St. George of Marselleis*, of 16 Guns and 8 Patareros, Burthen 300 Tuns, laden with *Brazel* Sugars, Tobacco, Clove-Bark, Brazeel Wood, Plate and other Goods to the value of 20000 *l.* which was sold and Imbezelled by the said Captain, and his Accounts pass'd by the Commissioners for prizes at 2552 *l.*—9 *s.*—4 *d.* out of which the Commissioners (notwithstanding the Imbezelmments) allowed and paid him; for $\frac{3}{4}$ of the neat proceed 713 *l.*—14 *s.* and for the Gunnage of 16 Guns, 160 *l.* And upon Complaint made to the Commissioners of some particular imbezelled out of the same Prize, to the value of 5417 *l.*—10 *s.* they ordered the Kings Proctor to sue him for the same, and thereupon he was arrested, but afterwards they ordered the Proctor not to proceed unless the Discoverer would defray the charge; this Captains particular Friend or his Servant, laid a sham Information in the *Exchequer* against him, to prevent his being sued for the penalty of the Act.

4th. And in January 1696, Captain *William Crose* Commander of His Majesties Ship *Dover*, took a Prize Ship of 65 Tuns called the *Haulk of Scotland*, Laden with Wine, Brandy, Rozin, Paper and other Goods to the value of 1995 *l.* which Ship and Goods was Imbezelled

zeled and sold by the Captain at *Lisbone*, besides other Prize Goods Imbezeled by him to the value of 525 *l.* in all 2520 *l.* which the said Commissioners would not take notice of, alledging they had an Account of the said *Haulk*, but that account came to no more then 450 *l.* and out of that the Captain was to be allowed the 3 Tenths of this heat Proceed; the account of this and the aforesaid Ship was privately kept and not entered as the Law directs.

In June 1697, Captain *Richard Griffeth* Commander of His Majesties Ship *Trident*, took a Prize called the *Lajoy-Slupe* Burthen about 40 Tuns, Laden with Cinamon, Bees-wax, Tallow, Silk, Linnen, Cambricks, Kentings, Silver Lace, *Flanders* Lace, Brandy, Sugar, and one Chest of Plate, 2 Large Baggs of Dollars, and other Goods to a Considerable value, which he sold and imbezeled; but being Prosecuted on the penalty of the Act, the Commissioners permitted him to pass a lame account to Circumvent the Prosecutor.

Notice was also given to the said Commissioners, that Captain *Beaumont* Commander of His Majesties Ship *Rupert*, had Imbezeled several Prizes to the value of 10000 *l.* But the Discoverer was slighted, and altho they ordered a Prosecution against the Captain, yet that matter was soon stifled, and there was an end of that Prosecution.

Many other Imbezelments to the value of 2 or 300000 *l.* I did intend to lay before them, but finding them to be so adverse in those matters, I declined them, and applied my self to the *Lords of the Treasury*, by a Note I sent to *Esquire Lownds* their Secretary, as followeth.

Honoured Sir,

THESE are most Humbly to desire you to Certifie the *Lords of the Treasury*, that great Discoveries may be made of Prize Ships and Goods Imbezeled to the value of 100000 *l.* and more, if their Lordships will be pleased to hear the same, and allow a Suitable Reward to the Discoverers.

The 3d. of January, 1698.

E. S.

But Receiving no Answer in the next *Gazett*, and the Commissioners for Prizes having laid some obscure Accounts before the *House of Commons*, (which as I was informed they were teady to pass by reason of a no Contradiction) and considering that those great Frauds committed in Publick, ought not to be Buried in Secret, on the 11th. of January aforesaid, I presented the *Parliament* with a Paper, Intituled *A Word in Season, being a Prospect of Publick Greviances, with some Particulars*.

particulars relating to the Imbezeling of Prizes and Prize Goods, together with the Proceedings of the Commissioners for Prizes. And on the next day the Lords of the Treasury gave notice in the *Gazet*, that they would hear and encourage the Discoverers.

But the Advertisement coming forth after I had laid the aforesaid Paper before the *House*, did much surprize me ; but considering I was not to trouble that High Court in matters that might be otherwise Redressed, I waited on Sir Thomas Littleton, then Speaker of the *House*, and one of the Lords of the Treasury, and by his advice, I attended the Secretary of the Treasury, by whose assistance (on the 20th, day of the same Month) I laid before their Lordships 20 Articles, which that you may the better Judge of these matters, I shall trouble you with the following Copy.

To the Right Honourable the Lords Commissioners of His
MAJESTIES Treasury.

May it please Your Lordships,

BEING apprized of many great enormities and abuses, Committed by the Commissioners for Prizes, and other Commanders of His Majesties Ships of War, by imbezeling of Prizes and Prize Goods, to the value of 100000 l. and more, with other unwarrantable and Illegal practices, and and having most Humbly Intimated the same to your Lordships, by Letter to your Lordships Secretary, we do most Humbly present your Lordships, with the following Articles Relating thereunto, being ready to prove the Allegations thereof; most Humbly praying your Lordships to appoint a time to examine the same, we do with most Humble Submission attend Your Lordships Commands.

G. E.—F. S.

1. That during the late War, several Prize Ships with their whole Cargo and Furniture, have been Imbezled by the Capt. and not Accounted for in the Prize-Office.
2. That several Rich Prizes have been Plundered by the Capt. and the greatest part of the Goods Imbezled, and the Ships with part of their Cargoes, wilfully Burn'd, Sunk or left driving in the Sea.
3. That great part of the Cargo of some, and Furniture of many other Prizes (to a considerable Value) have been Imbezled by the Capt. and not returned to the Prize-Office.
4. That several Prize-Ships have been returned into the Custody of
some

some Officers belonging to His Majesty, and not accounted for in the Prize Office.

5. That several Commanders (to Defraud the King and Seamen) have Exhibited many Great and Fraudulent Accounts, upon their single Oath.

6. That the Commissioners for Prizes (being informed of Ships and Goods Imbezeled, have discouraged and brow-beat the discoverers, and accepted of the perfidious Accounts of the Capt. refusing to take notice of their Imbezlements.

7. That upon examining, some doubtfull Cases, some persons (for the Service of His Majesty) renouncing their own Interest, to discover and distinguish, what Ships and Goods were the Effects of the Enemies; after several Months attendance, with a great Expence, have been dismiss'd without any reward.

8. That several fraudulent Accounts of Prizes return'd from Foreign parts, (have in a Clandestine manner) been privately kept in the Prize-Office, and not entered in the Publick Books.

9. That the said Commissioners have allowed and paid several Commanders their full Shares of Prizes, and Prize-goods returned, after they had Imbezeled great part of the Cargo and Furniture of such Ships, without taking notice of the Imbezlements.

10. That some Commanders, who have been detected at another Board for Imbezeling Prize-goods to a great Value, have been paid their full shares of Prize-Money, by the Commissioners for Prizes.

11. That many prodigious Imbezlements have been made of Prize-goods, after the same have been delivered into the custody of the said Commissioners or their Agents.

12. That some persons having Money due at their Office for signal Services, have had the same detained, for appearing upon Summons to give Evidence against a Capt. prosecuted for great Imbezlements.

13. That some persons having a Just claim to Money due at their Office, have been deprived of the same, for discovering such Imbezlements, and prosecuting the Imbezlers.

14. That the said Commissioners appeared (in a Court of Justice) on behalf of a Criminal, to justify his Accounts laid before them upon Oath, and afterwards reported to your Lordships, that his Accounts were Fraudulent and Notorious False.

15. That the said Commissioners do refuse to pay some Officers, and Mariners their shares of Prize-Money, upon the account of Imbezlements made by their Commanders.

16. That

16. That the said Commissioners (notwithstanding His Majesties Gracious Declaration for encouragment of Seamen) do refuse to pay the Gunnage and Tunnage of some Ships, taken before the late Act.

17. That the Commissioners have paid some Commanders and Officers their Shares of Money due on account of Prizes, and refused to Pay other Officers and Seamen belonging to the same Ships, under pretence they had not Money.

18. That by the severity, and ill usage of the said Commissioners and some Sea Commanders, the Seamen and Mariners have been deprived of almost their whole shares and proportions of prize Mony, whereby many of them being miserably impoverished, have left their Native Country, with their Families, who are become miserable Objects.

19. That several great Sums of Mony, have been shared amongst the Prize Officers and others, for pretended signal Services.

20. That in their Accounts of Disbursments, Contingencys, Promiscuous, Incident and Accidental charges; Great Extravagancies and abuses lie concealed, to the great prejudice of His Majesty, &c.

Upon reading these Articles, their Lordships directed us to prove our charge in the 6th. Article, against the said Commissioners, but on the next day, to wit the 21st. of January, by the contrivance of Mr. *Whitacre* and somebody else, I was surprized and committed to the *Poultry Compter*; under pretence of stifling Prosecutions, and there I continued untill the 3d. March, in which time it was reported that my confinement was to keep me out of the way, which was very probable, since no Prosecution was brought against me, in the whole time.

But having varied from the matter, I hope you will not take it amiss, if I tell you of a Tryal depending in the Exchequer, upon an information exhibited against the aforesaid Captain *Eliott* for imbezeling the said Prize: my Friend and my self having attended Two Terms, and expended 40*l.* to bring that cause to Tryal, being strangely prevented, and I being then a prisoner, Mr *Glover* the Agent sent for my Friend, and with a pretended kindness to him, rails against me, and tells him tho I was a Rogue, he would stand by him, and as the King was to have a Moyety, so he would have that Cause Tried that Term at the Kings charge; my Friend having in vain spent all that he could spare, accepted of his offer, and privately communicated the same to me, who being under confinement consented thereun-

to; Mr. *Glover* being now the sole Manager of the Court, goes to our Clark, and orders him to give notice for Tryal; which accordingly he did, and a day being pointed, my Friend by his Order hurries to *Gravesend* and other parts, to summon the Witnesses, who appeared accordingly; and when all things were ready for Tryal, Mr. *Glover* sent his Letter to the Clerk to stop proceedings, this Trick cost my Friend 50 *l.* besides 15 *l.* he paid Cost to the Defendant: After this I was admitted to Bail, upon Condition of appearing at the Sessions of the Peace, or at the *Old Baily*, *Kings Bench*, or the *Exchequer Court*, to answer to such Accusations or Informations, as shall be brought against me, in the Kings Name or otherwise: This was the Condition of my Recognizance, imposed upon my Friends by Sir *John Houblon*; which as you are a Judicious Gentleman, I refer to your Consideration. But being at Liberty, and knowing this Cause to be as fair a thing as ever was tryed at the *Exchequer-Barr*, being armed with the Statute-Law of *England*, and as I may say, the plainest and fullest Act that our Representatives or any other could contrive, I was resolved for my King and Countreys sake to bring this Cause to Tryal, which at the end of Four Terms, with the Expence of 100 *l.* we effected: But by subtil Tricks, Evasions and clandestine practices, to the amazement of all that heard it, we lost this Cause; and that Court that can dispense with our great Bulwarks, the Statute Law of *England*.

But to return to the matter in hand, pursuant to the Directions of the Lords of the Treasury, and by the Order of their Secretary, on the 21th. of *March*, 1695. I delivered to Mr. *Glandvil* one of their Officers, our Complaint, to prove the allegation of the sixth Article, which is briefly intimated in pag. 4, 5, 6, 7, 8, 9, & 10.—No. 1, 2, 3, 4. But finding that I could not come to a hearing of that matter, I silently withdrew, leaving the Complaint with their Lordships, who on the 28th. of *June* ordered the same to be read, when the Commissioners for Prizes were present, and on the 27th. of the same Month, their Lordships constituted Mr. *Parkhurst* and Mr. *Paschal*, with a New Commission, the Preamble excepted, is as followeth.

NOW Know ye, That we Cha. Mountague, Ford E. of Tankerville, Sir Ste. Fox, John Smith, and Hen. Boyl, reposing special Trust and Confidence in the Ability, Care, and Circumspection of John Parkhurst and John Paschal, two of the late Commissioners before mentioned, have authorized, constituted and appointed, and by these Presents do authorize, constitute and appoint, them the said John Parkhurst and John Paschal, with full Power so far as for, levy, recover and receive all Prizes whatsoever, or
 C the

the value and Proceeds of the same, and the Arrears thereof, which have been taken during the late War with France, and not duely answered and accounted for, and to distribute and apply, pay over and account for the same, in such manner as by any Act or Acts of Parliament now in force concerning such Prizes, is prescribed and required; and the said John Parkhurst and John Paschal, are to observe and follow such Orders, Rules and Instructions, as they shall from time to time receive from us, for the better management of the trust repased in them. Dated at the Treasury-Chamber in the Cockpit, the 27th. of June, 1699. in the 11th. Year of his Majesties Reign, &c.

Now Sir, by this Constitution you may observe, they were to sue for, levy, recover and receive, all Prizes whatsoever taken during the late War, (and not duely answered) or the Value and Proceeds of the same, and the arrears thereof; this power they had before, which being not executed, and their Lordships being acquainted of matters relating to their Office, that had been omitted, they invested Mr. Parkhurst and Mr. Paschal with this new Commission, to enable them to make good all Neglects and Defects occasioned by them; particularly by Mr. Paschal, who with the Accountant General, as I am informed, govern'd the whole Board, after the departure of Mr. Secretary Vernon and Sir Michael Cole; and how far they have discharged themselves in that trust, I'll leave you to judge, by what I have and shall relate, together with one passage in Mr. Paschals Letter, wherein he expresses these words. "Now during the War, the Commissioners have been credibly informed, and I do believe, that there has been in the *West-Indies* (besides some in the *East*) Prizes taken to the value of near 200000 l. and yet there never came from those parts into our Office, above 1007 l. 9 s. 6 d. which upon information we seized at *Portsmouth*, out of which the Three Tenths that came to the King, was 302 l. - 4 s. - 11 d. and the Gunnage of that came to 220 l. so there Remained neat to the King only 82 l. - 4 s. - 11 d.

This Seizure at *Portsmouth* I take to be part of the Effects of the Prize taken by Captain Elliot as before mentioned, and can be no other, because he says that of all the Prizes taken in the *West Indies*, there never came into their Office above 1007 l. - 9 s. - 6 d. and that was upon Information seized at *Portsmouth*. Now Sir, if you look back you'll find the Number of Guns exactly agree with the Gunnage here payd; and that after the passing his Accounts and deducting his own share, he gave them a Note for 300 l. which being divided as the Act directs, there is coming to the King about 84 l. But that Account far surpas-

surpasses this, for there was seized on board the *Bristoll* at one time. Hides and Guns sold for 386 *l.* - 2 *s.* - 6 *d.* at another time Plate and other Goods sold for 113 *l.* - 0 - 7 *d.* Besides the Captains own account of 3982 Dollars, which at 4 *s.* per Dollar comes to 995 *l.* 8 *s.* which together makes 1494 *l.* - 11 *s.* - 1 *d.* But then he charges the Prize Debtor to him for Money lent Admiral *Nevil*, to supply the Squadron in the *West Indies*, 800 Dollars, and by a Bill of Exchange on a person at *Virginia* 800 Dollars, and for Charges on account of the Prize 120 Dollars, in all 1720, which at 4 *s.* per Dollar comes to 430 *l.* Now how far the Commissioners may allow of these or any other Accounts I know not; but sure I am, that in the Relation Mr. *Paschau* gives, he leaves no room for any other Prize seized at *Portsmouth*, to come into that Account of 1007 *l.* - 9 *s.* - 6 *d.* and that they ought not to have allowed the Captain any share out of this, in regard of the Imbezelment which by their Commission they were to recover of him and all others, which by his Relation was very considerable; and altho the last Commission does not say they shall be accountable for all Prizes taken, so it doth not say they shall not; and you will believe some body was to be accountable; and they being Constituted and continued after the other Commissioners were discharged, were the most proper Persons to give Account of the whole, and I see nothing in that Commission that exempts them; which if it did, that could be no Barrier to the Parliament, and they you allow are the fittest Judges who shall; and if no Account is to be given of what has been done the late War, what can we expect will be the Effects of a new War, that some are so forward to engage us in.

He also tells you, that within six Months after they received that Commission, and as soon as they had discharged the Debts of the Office left unpaid when the Office was superseded, and that he could not do the Publick any further service, he desired to be discharged.

This intimates, that all Moneys due from that Office is actually payd, which is answered in the foregoing Articles; besides, I can prove, that several persons (who have made Discoveries to them of prize Ships and Goods imbezeled) are yet unpaid several considerable summs of Money, which on behalf of many Officers and Seamen they have a Right and Lawful power to receive. And whereas he desired to be discharged because he could not do the Publick any further service, you may take notice, that was after his Sallary was superseded, and that he had no further Opportunity to serve himself.

He likewise tells you, there was Sub-commissioners and Agents in our Home-ports of *England*, *Ireland* and *Wales*, and ports abroad, and many in the *West-Indies*, &c. and that it is his Opinion that their Board

were only accountable for mismanagement of Sails and misapplying Mony, or of frauds committed in their own Office.

But it's my Opinion that as they were the principal Commissioners for Prizes, so they were to inspect the management of their inferiours, the sub-Commissioners, Agents, and all other their Officers and Commanders of the Kings Ships, &c. or else what signifies the Kings Declaration and the Act for preventing the Imbezeling of Prize Goods, if their inferiour Officers, and the Imbezellers were not called to Account, and who but they could do it? indeed I never saw their Commissions, but (I presume) they were Authorized and Impowered to constitute and appoint their sub-Commissioners, Agents and Substitutes, and so consequently to Inspect their proceedings and Accounts, and to take Cognizance of all prizes taken during the late War, which is the expresse words of their Last Commission, and how far they have complied therewith, you may guess by what I have related; to which I add that Mr. *Walter Middleton* their Agent, at *Milford*, did take into his Custody, a Prize Ship called the *St. Nicholas* of *Haver-de-grace*, Laden with *Spanish Wine*, Silks, Lace, Wool, Figgs and other Goods to the value of 2 or 3000 *l.* the greatest part thereof with the Tackle and Furniture was imbezelled by the said Agent, who caused the Ship to be Appraised at 20 *l.* which was proved worth a 100 *l.* and this matter was laid before the Commissioners for Prizes, who sent Mr. *John Glover* and others to make an inspection on them, but after the Expence of 3 or 400 *l.* the matter was stifled, notwithstanding the plainness of the Fact, and the many Witnesses, and Affidavits made in the Court of *Admiralty* to prove the same: and thus was the King a double loser on this account, and in the aforesaid Prize taken by Capt. *Eliot*, 6 of the *French* Men taken in that Prize were kept in Town 6 Months at the Kings Charge; to give an account of her Cargo and Value; and altho they and their Capt. did all affirm her to be worth so much as before related, yet the Commissioners complied with the Captor for 300 *l.* which by their report to the *Lords of the Treasury*, (as I said before,) was never paid, and for your further Satisfaction, I shall present you with an Abstract of several orders signed by the Commissioners, between *July 1696*, and the *7th. of March 1698*; as they were Collected out of their own Books.

30^{*l.*} We pray and require you out of the Moneys arising by Sale of Prizes, to issue and pay unto Mr. *Seaborn Buckeridge* 30^{*l.*} being for several disbursements by him made upon Extraordinary occasions, and other Services by him performed for the Service of this Office, which must be charged to the account of Promiscuous charges, which can-

cannot be appropriated to any particular head, and is deducted out of prizes proportionable to their value, August 1st. 1696 to James Herbert Esq;

Signed Roger Langley, John Jennings,
John Paschall.

50 You are hereby required out of the Money in your Hands upon account of prize Ships and Goods sold at Dover, and other parts and places within the district of the said port of Deal, to pay and deduct to your self the Sum of 50 l. in Full for extraordinary Service by you performed in the agency of Deal, Sandwich, Ramsgate and Margaret, &c. and the same shall be allowed upon the accounts; dated the 22d. of Decemb. 1696. to Mr. Charles Burgrave our Accomptant for Prizes at Dover.

Signed Rog. Langley, Edw. Ascough,
John Parkhurst, John Paschall.

We having taken into our Consideration the extraordinary Pains and Service of our several Officers hereunder mentioned are constantly at, in making up and Transcribing the General Accounts of the Office, in order to their being delivered to the Commissioners for taking and stating the publick Accounts of the Kingdom, and to the Right Honourable the Lords Commissioners of His Majesties Treasury, do think it reasonable, as a reward over and above their standing Sallaries, to allow them the Sum of 150 l. to be equally divided among them as Followeth, viz. To Seaborn Buckeridge our Accomptant General 50 l. to Robert Wellington his assistant 50 l. and to John Portman Junior 50 l. for payment of which this shall be your Warrant, Dated the 3d. of Decemb. 1696 Signed ut Supra.
to James Herbert Esq;

250 We pray and require you out of the Money arising by Sale of Prizes, to issue and pay unto William Aldworth Esq; or his order, the Sum of 250 l. upon account of his expence in auditing the accounts of this Office, for which this shall be your Warrent, Dated the 22d. of Decemb. 1696, Directed and Signed, ut Supra.

147. An Order ut Supra. to pay unto Tho. Bedford Esq; Register of the High Court of Admiralty, or his order, the Sum of 147 l. for Extraordinary Service performed by the Officers belonging to the said Court of Admiralty in relation to the busines for Prizes, dated 11th. of March 1696.

25. Ordeaed ut Supra to pay unto Mr. Seaborn Buckeridge 25 l. it being for several Disbursements by him performed for the Service of this Office, &c. which must be charged to the account of promiscuous charges, which cannot be appropriated to any particular head, dated the 11th. of March 1696.

10. Ditto paid Mr. *Detbike* 10 l. and Mr. *Portman* 5 l. for Extraordinary Service to be placed to the promiscuous accounts.
1700. We pray and require you to deliver to Mr. *Seaborn Buckeridge*, our Acomptant General 22 Tun of Red *Bourdeaux* Wine: dated the 3d. of April 1697. Signed *ut Supra*.
60. Order *ut Supra* to pay unto Mr. *John Cock* deputy receiver 60 l. in Consideration of his Extraordinary Service in the Office business; dated the 23d. of August 1697.
25. Order *ut Supra* to pay Mr. *Seaborn Buckeridge* 25 l. for Extraordinary Service by him performed, to be placed to the promiscuous accounts, the 31st. of August 1697.
60. Order *ut Supra* to Mr. *John Cock* the Sum of 60 l. for his Extraordinary Service, dated the 5th. of October 1697.
25. Ordered *ut supra* to pay unto Mr. *Seaborn Buckeridge* 25 l. for Extraordinary Service, to be placed to promiscuous accounts.
420. You are hereby required and directed, to cause 7 Tun of Wine in the Custody, part of the Cargo of the Ship *Good Heart*, to be removed out of the Cellar they are now in, into some other secure and convenient Cellar, to be disposed of as we shall direct, they being to be paid for at the highest Price, any of the rest of the Wines which came out of that Ship shall be sold for, for which this shall be your Warrant, dated the 10th. of Decemb. 1697. Signed *ut supra*.
200. Ordered *ut supra* to impress into the hands of Mr. *Seaborn Buckeridge* 200 l. being for the payment of custom Duties for some Wines Landed by our directions, for which he is to render us an account, dated the 4th. of January 1697.
25. Ordered to pay Mr. *Seaborn Buckeridge* 25 l. for Extraordinary Service, by him performed, to be charged to the promiscuous accounts, &c. dated the 3d. of Decemb. 1697. Signed *ut supra*.
- 446-8-6. Imprest to Mr. *Buckeridge* for incident charges 100 l.
- Ditto impress to Mr. *Buckeridge* 346 l.—8 s.—6 d. to pay Seamen for binging Five Ships from *Plymouth*, Dated the 17th. of March 1697.
25. Ordered to pay Mr. *Buckeridge* 25 l. for extraordinary Service to be placed to promiscuous accounts, dated the 10th. of May 1698.
25. Ordered *ut supra* to pay Mr. *Buckeridge* 25 l. to be placed as aforesaid.
30. Ordred, *ut Supra* to pay Mr. *Buckeridge* 30 l. for a quarters Sallary for an assistant, when at that time he had none, dated 15 of June, 98.
110. Order to pay Mr. *Pool Hastings* 30 l. Mr. *Ascomb* 30 l. Mr. *Portman* 50 l. for their Extraordinary Service, to be placed to the promiscuous Accounts, &c. dated the 25th of June 98. signed *ut Supra*.
- 50 Order

50. Order to pay Mr. Cock 50 l. for Extra. Services, to be placed to promiscuous Accounts signed *ut Supra*.
150. Imprest into the Hands of Mr. Buckeridge, for pilotage 150 l.
- 116 l. 5 s. 4 d. paid Mr. Buckeridge, for the use of himself and others, 116 l. 5 s. 4 d. for Appraising Ships and Goods in the River.
200. Order to Imprest into the hands of Mr. John Cock, Deputy Receiver 200 l. for defraying such necessary Expences as hath or may occur, in several Suits in relation to prize business depending in Parliament, &c. dated the 6th. of March 1698. signed *ut Supra*.
30. Sept. the 28th. paid Mr. Buckeridge 30 l. for a quarters Salary for (A no) Assistant.
25. Order to pay Mr. Buckeridge 25 l. for Extraordinary Service, to be plac'd to promiscuous Accounts. dated the 13th. of October 1698. signed *ut Supra*.
30. December the 31st. 1698. paid Mr. Buckeridge 30 l. for a quarters Salary, for an Assistant, when he had not any.
30. January the 7th. 1698. paid Mr. Buckeridge for charges of Fire and Candles, and for his Extraordinary pains in making up the accounts of the Office 30 l.
10. Ditto paid Mr. Portman one of the Clerks for extraordinary pains 10 l.
100. We pray and require you to pay into the hands of Mr. Jonathan Jennings Esq; our Secretary or his Order 100 l. the sum to be by him disbursed for the Incident charge of the Office, to Mr. James Herbert Esq;
- Signed John Jennings, R. Murray,
John Paschal.

By the foregoing account (in 2 Years and 7 Months) there has been paid and imprest into the hands of Mr. Buckeridge for pretended services, contingences and promiscuous charges, 1217 l.—13 s.—10 d. with 29 Tun of Wine at 5 l. per Tun, comes to 1450. and for an Assistant, whereas he had not any during that time, 90 l. in all 2757 l.—13 s.—10 d. and to Mr. Portman for extraordinary Services 115 l. to Mr. Cock for extraordinary Service and promiscuous Expence 376 l. to Mr. Willington for extraordinary Service 50 l. as also 617 l. more paid to several Persons for extraordinary services, &c. the whole amounting to 3909 l.—13 s.—4 d.

At the same time the Accomptant General was paid 100 l. a Year for 2 Clerks, altho he had but one that he employed at 30 l. p. annum.

Now Sir, let me tell you, that the impressing of Money for the contingent uses of the Navy, without regular vouchers for such other proof as the nature of the service will admit, is contrary to the rules and methods

thods of the *Navy*, and of dangerous consequence as hath been Represented to His Majesty by the *Honourable House of Commons*.

Touching those extraordinary services, the Commissioners in the height of business sat about 3 times a Week, and then not above 2 or 3 Hours in a day, which by computation is no more than one whole day in a Week, and that was the time their Officers attended the service of the Office; but if you consider the number of Officers, and what Salaries they had, you will allow that that service might have been performed in good time, and order without such extravagant rewards, and the monys given to others for extravagant services and expences, might have been spared, for as much as all men know, that such Persons know how to save themselves in their accounts, as undoubtedly they have, it being evident that more than the real value of some considerable prizes have been spent in their Condemnation.

The 29 Tun of Wine imprest and removed into private Cellars, is contrary to the Statute, which directs that all prize Goods shall be publickly sold by inch of Candle, and whereas 200 l. part of the aforesaid sum was imprest for the payment of the Custom duties of some Wines Landed by their order, it is apparent that the said mony and Wines were Clandestinely Converted to some secret Service, in regard the Merchants (as Mr. Paschal tells you) paid the Duties of all Prize-goods.

As touching incident charges, which may arise, they ought (as I conceive) to be plac'd to the head of contingencies, and not to any promiscuous Accounts; for altho such Accounts may be admitted in a wast Book, yet it was never known that any promiscuous Accompts, were charged or allowed to ballance accompts.

Now by the unusual methods of disposing such sums of mony for extraordinary services, they have introduced many new and unnecessary charges into their Office; which by the *Honourable House of Commons* (in other cases) was Represented to His Majesty as a great mis-mannagment.

Besides their Generosity to their Officers, they have been very kind in disposing of the Publick mony to others, as in the case of Capt. Colwell, who having taken a rich prize belonging to *Ostend*, was carrying off part of her Lading to the value of 1500 l. which was seized by the Custom-House Officers, and that he lost, but then he had secured a parcel of *Flanders* Lace, which (as reported) was worth 20000 l. this was put into the hands of the aforesaid Capt. Gose, who reported that he had as much Lace as would reach from the *Lizard* to *Cadiz*, yet for all this, the Commissioners for prizes (contrary to the express words of the Act) allowed and paid him about 500 l. for his share of that Prize, and the beter to save the Capt. for that loss (which was none of his own, their

their accomptant General went with him to the *Ipswich-Arms* in *Collins-street*, to make up the Seamen's accounts for Prize money, out of which was stopt near 600 *l.* for the use of the said Capt. And here you may observe how the King, and the poor Seamen by frauds and collusion have been abused and defrauded of the custom, duties and shares of monys due on account of Prizes.

In his Letter *Pa. 8.* He tells you, That when the Precept and Scheme came to his Hands, he acquainted their Accomptant General thereof, and took him along with himself to the Commissioners of Accounts, where the Accomptant made his Exceptions against part of the Scheme, to which their Honours agreed; and allowed him what time he demanded, *viz.* to *Michaelmas* 1700. to compleat it as he could; but by reason of Sickness the Accomptant was prevented, and he himself was not accurate in keeping Account-Books.

To this I must tell you, That after they had given so much Money (as before I have Related) to their Accomptant-General and others, for their great care, pains and expence in passing the Accounts of their Office, yet when the Parliament first called on them for their Accounts, about the beginning of *December* 1698. they were so unprovided that they wrought Night and Day for a Fortnight together to prepare Accounts to lay before them, being such (as I was informed) they nor no Body else should understand, which proved true as I heard afterwards. But to prevent such an Imposition upon the Nation, I acquainted a Worthy Member of the House, how they might the better inspect the Accounts of that Office, by calling for some particular Books, which they did, and thereby defeated that design.

Now Sir you may observe, That if the Commissioners at first had laid before the House their Accounts in a fair and regular manner, then had their Honours been preserved, and the House prevented of the trouble occasioned on their Accounts: And by the way 'tis my thoughts that such Persons who are not so well skill'd as to judge of Accounts, nor so vigilant as to peruse them, are not fitly qualified for such Places of Trust. And altho' Mr. *Paschal* thinks it a great hardship to be accountable for what was done before his time, yet I think otherwise in regard they have the former Books to help them, and that our Representatives are such judicious Men, That will not punish one Man for the omission or offence of another.

And in *page* 10. He acquaints you of 180 Ships or thereabouts, taken by Privateers, before the Act for encouragement of Privateers, but gives no account of the Prizes, which I know were taken by the King's Ships at that time.

And in the next Paragraph he tells you of 200 Ships or thereabouts,

taken since the Act, which were condemn'd to the Captors peculiarly, and were according to the Act never to come under the care, power or management of their Board, they being either in Ballast, or else having on Board no Goods of the Growth or Manufacture of *France*.

In Answer to this, give me leave to recite that Clause of the Act relating thereunto.

' And be it Enacted by the Authority aforesaid, That all Ships and Vessels with their Lading, and all Goods and Merchandizes that shall be taken or seized as Prize, either by His Majesties Ships of War, or by any Ships set forth as Privateers or otherwise, shall be Imported and brought into some of Their Majesties Ports of this Kingdom, and immediately without breaking of Bulk put into the possession of Their Majesties Commissioners for Prizes, or their Officers or Agents in the said Port; who together with two or more such Persons as the Officers or Mariners of the respective Ship shall entrust, and also such person or persons as shall be appointed by the Commissioners of the Customs in that behalf, are to take care of and preserve the same from Embezelments, until such time as the same shall be adjudged Lawful Prize, &c. and the same provision is made for all Ships taken in Foreign parts. And be it further Enacted, That where any Ship or Vessel shall be taken as Prize by any private Man of War, in which Ship or Vessel there shall be no Goods or Merchandizes of the Growth, Product or Manufacture of the Dominions of the *French King*, and the same shall appear upon Landing thereof as aforesaid, and due proof made, that then after lawful Condemnation of such Prize, and payment of Customs and other Duties to Their Majesties, payable for such Goods and Merchandizes, the Persons Interested in such private Man of War, shall have the said Ship, Goods and Merchandizes to their own use, without deduction for Tenths or any other part or proportion thereof Payable to Their Majesties, or to the Lord High Admiral of *England*.

Thus Sir you see by the foregoing Clause, That all Prizes were to be immediately, without breaking of Bulk, put into the possession of the Commissioners for Prizes, and so to remain until they were condemn'd as Prize; and the latter Clause only provides, That if due proof be made upon Landing such Goods as aforesaid, that is, after they were delivered to the Commissioners and adjudged Lawful Prize, &c. that the Goods, &c. were not of the Product or Manufacture of *France*, that then the Ship and Goods shall return to the Captor, &c. which is a full demonstration that all Prize Ships were to come under their Inspection, and so they consequently were to be accountable for all, whether Profitable or Prejudicial to his Majesty.

Besides

Besides the aforementioned 180 and 100, he gives you Account of 60 Ships or little Boats, which being sold at Publick Sale, the charge of Condemnation surmounted their product. But to proceed, 37 Ships delivered by the Captors to the Commissioners of the Navy or their Agents, which was taken into His Majesties Service; and 53 or thereabouts condemn'd as perquisites to the Admiralty; and 10 Ships lost or Burnt at Sea, after they were taken; and 33 or thereabouts, given away by their Majesties, or restored by the Lords of Appeals after Condemnation, and 12, or thereabouts condemn'd by special Admonition or default; these together makes 585, which he says came not under their Cognizance.

And now *Sir*, I would desire you candidly to consider that the Commissioners of the Navy are accountable to the Prize Office for what prize Ships they take into his Majesties Service; and as I am credibly informed, the Commissioners charge them 37000 *l.* for their 37 Ships he speaks of. If so, then sure I am the King has bought the dearest Bargains, and is much wrong'd therein; besides, the King (by order of the Commissioners for prizes) was at the charge of their Condemnation; and all the rest which he says came not under their cognizance, were (by their Order) condemn'd at the Kings charge; now how they could discount that charge without taking cognizance of those Ships, I must refer to your Judgment. But further to explain this matter, I shall present you with the following Clause, *Viz.*

'And it is hereby further enacted, that any person, Seamen or other, concerned in any Prizes, shall and may at any seasonable time be permitted to see and peruse the Accounts of any Prize, that he or they may be satisfied whether the Shares have been Rightly distributed, and the Commissioners for Prizes, and their Officers, are hereby required to shew or cause to be shewn, unto such person or persons, such Accounts for their perusal, and to take no more Fee or Reward for the same, than one Shilling for one Account, at one time.

Now this Clause of the Act, directing all persons concerned to search after the disposal of Prizes in that one Office, doth also imply that all Prizes shall be entred and accounted for there, and altho' the Commissioners of the Navy may take such Ships into His Majesties Service, yet they and all others are to be accountable to the Principal Commissioners for Prizes, who were constituted and appointed a particular and distinct Board to take Cognizance thereof, and not to suffer such a division as is intimated in that Letter, the consequence of which, besides the prejudice to their own Accounts, has been fatal to the Service of His Majesty and others concerned.

The same Letter further informs you, That Wine and Brandy were the

the principal and most valuable Commodities that were brought in as Prizes, and that the Commissioners for their own Conveniency agreed with the Merchants to pay the Customs, which was near 28 *l.* per tun, and that the Wines were generally small and white, which they sold for about 10 *l.* per Tun.

I do believe that Wines and Brandy were the chiefest Goods that was accounted for in their Office, and a good Commodity too; for altho they sold the White at that Price, you must believe the Claret and Brandy was worth double and treble that, and was sold accordingly: But he gives you no account of that, nor of the seven Tun of Wine that came out of the Ship *Good-Heart*, and the 22 Tun of Claret that was delivered to Mr. *Buckeridge*, with the 200 *l.* imprest into his hands, for the payment of the Custom duties of some Wines landed by their Order, nor of the great Imbezelmments that were made out of Prizes, after they were delivered into their Custody; nor of the Complaints made to them of those Imbezelmments, with A No redress to the Captors that made the Complaints.

And now, *Sir*, to close this matter, give me leave to offer my Sentiments, and that is, If the Commissioners for Prizes, had been more circumspect in executing the Laws according to the power given them, that then the Prizes imported here, would have produced Greater Effects, and the Imbezelmments abroad would have been prevented; or at least recovered, to the great Benefit of the whole Nation.

And now *Sir* having truly stated matters so far as I have observed in Relation to the Affairs of the Commissioners for Prizes, &c. give me leave to tell you, that altho some men make it a jest to defraud the King, and others say there is a cheating Trade in Fashion, and they are Fools that have not a hand in it, and others say that Kings and Princes are born to be cheated, yet Honest men say, that they who cheat the King in jest, are common Knaves that cheats every body in good earnest, and in *Holland* and other places it is accounted more criminal, and the offenders are more severely punished that cheats the Publick, than those are that defraud private Persons, and our King *Edward* the First, after an Expensive War with *France* and *Scotland*, made a general enquiry into the misdemeanours and oppressions of his Officers of all sorts, whose number and offences were so many, that the fines he laid on them, filled his Exchequer, and enabled him to pay off all his old Debts; but our mismanagements have been so many and so great, that all men respecting this King and Kingdom, begin to look about and consider, what is become of all the Money raised and borrowed, and what is owing, and how it will be possible to raise money to pay the Publick Debts, and carry on a new War against two powerful Monarchs, without more industry, Care and Fidelity, all which is referred and Submitted to your most Judicious Approbation,



By Your

Most Humble

And Obedient Servant,

Trueman.